

REVIEWED AND APPROVED
2/9/16

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING
OF
Friday, January 15, 2016**

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by **Matt Janssen, Hearing Officer.**

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

Matt Janssen, Hearing Officer: opens meeting.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

No one coming forward.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):

3. December 11, 2015 PDH DRAFT Minutes

Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of December 11, 2015 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

4. December 18, 2015 PDH DRAFT Minutes

Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of December 18, 2015 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

5. A request by **VIRGINIA TAYLOR** for a Minor Use Permit/Coastal Development Permit (DRC2015-00042) to allow for the construction of a 63 square-foot dining room addition to an existing residence, and the construction of a 763 square-foot detached garage/workshop with a 599 square-foot guesthouse above and a 374 square-foot deck. The project will result in the permanent disturbance of approximately 1,500 square-feet of a 10,000 square-foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at 2871 Burton Drive, approximately 1,000 feet from the Burton Drive and Highway 1 intersection, within the community of Cambria. The site is in the North Coast planning area. This project is exempt under CEQA.

County File Number: DRC2015-00042
Supervisory District: 2
Project Manager: Brandi Cummings

APN(s): 023-425-032 & 033
Date Accepted: November 10, 2015
Recommendation: Approve

Thereafter, on motion of the hearing officer, the request by **VIRGINIA TAYLOR** for a Minor Use Permit/Coastal Development Permit (DRC2015-00042) notes a Class 1 categorical exemption was issued on November 20, 2015 (ED15-083) and is granted based on the Findings A. through O. in Exhibit A and subject to the Conditions 1 through 22 in Exhibit B. (Document Number: 2016-001_PDH)

6. A request by **MICHELLE THARP** for a Minor Use Permit/Coastal Development Permit (DRC2015-00023) to allow for the construction of a 225 square-foot deck addition on the west side of an existing residence, and an 80 square-foot deck addition on the south side of the residence. The project will result in the permanent disturbance of approximately 300 square-feet of an 8,712 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 698 Drake Street, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00023
Supervisory District: 2
Project Manager: Brandi Cummings

Assessor Parcel Number: 023-067-002
Dated Accepted: October 27, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by **MICHELLE THARP** for a Minor Use Permit/Coastal Development Permit (DRC2015-00023) notes a Class 1 categorical exemption was issued on November 30, 2015 (ED15-074) and is granted based on the Findings A. through N. in Exhibit A and subject to the Conditions 1 through 22 in Exhibit B. (Document Number: 2016-002_PDH)

7. A request by **JUDITH DRUMMOND** for a Minor Use Permit/Coastal Development Permit (DRC2015-00018) to allow for the construction of a 576 square-foot detached garage and new driveway approach. The project will result in the permanent disturbance of approximately 1,050 square-feet of a 7,000 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2321 Wilcombe Road, approximately 0.4 miles east of the Highway 1 and Ardath Drive intersection, in the community of Cambria. The site is in the North Coast planning area. Also to be considered is approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00018
Supervisory District: 2

APN(s): 024-042-035 & 024-042-030
Date Accepted: November 10, 2015

Project Manager: Brandi Cummings

Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JUDITH DRUMMOND for a Minor Use Permit/Coastal Development Permit (DRC2015-00018) notes a Class 1 categorical exemption was issued on November 30, 2015 (ED15-073) and is granted based on the Findings A. through M. in Exhibit A and subject to the Conditions 1 through 23 in Exhibit B. (Document Number: 2016-003_PDH)

8. A request by **BENJAMIN & ELISABETH CURTI** for a Minor Use Permit/Coastal Development Permit (DRC2014-00139) to allow the construction of a new two-story, 3,187 square foot single family residence. The residence will be 27 feet in height above the highest point of the lot and will have an attached 749 square foot garage. The project will result in the disturbance of the entire 6,000 square foot parcel through development, landscaping and associated improvements. The project is located at 2925 Avila Beach Dr. on the south side of Avila Beach Drive off of Colony Lane, within the community of Avila Beach, in the San Luis Bay Coastal planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration was issued on November 19, 2015.

County File Number: DRC2014-00139
Supervisory District: 3
Project Manager: Megan Martin

Assessor Parcel Number: 076-196-011
Date Accepted: July 24, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by **BENJAMIN & ELISABETH CURTI** for a Minor Use Permit/Coastal Development Permit (DRC2014-00139) adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq, and the CA Code of Regulations Section 15000 et seq is granted based on the Findings A. through I in Exhibit A and subject to the Conditions 1 through 27 in Exhibit B. (Document Number: 2016-004_PDH)

9. A request by **VERIZON WIRELESS** for a Minor Use Permit (DRC2015-00051) to allow the construction and operation of an unmanned wireless communications facility consisting of 2 new panel antennas mounted at a height of 28' and various equipment boxes extending from 7' to 17.5' on an existing 38.4' tall utility pole. The proposed project is located in the County right-of-way at 263 North Frontage Road at the front entrance of the Nipomo Swap Meet in the community of Nipomo, approximately 700 feet northwest of the intersection of Juniper Street and North Frontage Road. The site is within the Commercial Service land use category in the South County Inland Sub Area of the South County Planning Area. Also to be considered is the approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File Number: DRC2015-00051
Supervisory District: 4
Project Manager: Megan Martin

Assessor Parcel Number: N/A
Date Accepted: November 20, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by **VERIZON WIRELESS** for a Minor Use Permit (DRC2015-00051) notes a Class 3 Categorical Exemption was issued on November 20, 2015 and is granted based on the Findings A. through F. in Exhibit A and subject to the Conditions 1 through 29 in Exhibit B. (Document Number: 2016-005_PDH)

10. A request by **JALAL VAHABNEZHAD** for a Minor Use Permit (DRC2014-00142) to modify the 250 foot maximum distance standard for a secondary dwelling to the primary residence pursuant to County

Land Use Ordinance Section 22.30.470(F). This would allow the applicant to construct a new 2,400 square-foot single family residence approximately 350 feet away from an existing 687 square-foot residence, which would be converted to a secondary dwelling. The proposed project would result in approximately 2,400 square feet of site disturbance on an approximately 5 acre parcel. The proposed project is within the Residential Rural land use category and is located at 1055 Patricio Lane, approximately 630 feet south of Camino Caballo, approximately ½-mile west of the community of Nipomo. The site is in the South County Inland sub-area of the South County planning area. Also to be considered is approval of the environmental determination for the proposed project. A Class 3 Categorical Exemption was issued for the project under the California Environmental Quality Act.

County File Number: DRC2014-00142
Supervisory District: 4
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 091-284-006
Date Accepted: December 3, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JALAL VAHABNEZHAD for a Minor Use Permit (DRC2014-00142) notes a Class 3 Categorical Exemption was issued on December 10, 2015 (ED15-156) and is granted based on the Findings A. through G. in Exhibit A and subject to the REVISED Conditions 1 through 15 in Exhibit B. (Document Number: 2016-006_PDH)

HEARING ITEMS

11. A request by KEVIN AND LORI BRAINS for a Lot Line Adjustment (COAL15-0078) to adjust the lot lines between two parcels of 1.01 acres and 9.95 acres each. The adjustment will result in two parcels of 3.76 acres and 7.20 acres each. The proposed project is within the Agriculture and Rural Lands land use categories and is located at 5411 Seven Oaks Way, approximately ½ mile south of Park Hill Road; approximately 7 miles east of the community of Santa Margarita. The project site is in the Las Pilitas sub area of the North County Planning Area. Also to be considered is the approval of the environmental document. A Class 5 categorical exemption was issued for this project.

County File Number SUB2015-00016
Supervisory District: 5
Project Manager: James Caruso

Assessor Parcel Number: 070-158-004; 005
Date Accepted: October 9, 2015
Recommendation: Approval

Holly Phipps, County Planning Staff(sitting in for James Caruso, Project Manager): presents staff report via power point.

Bret Ethridge, Agent: speaks to the proposed property and states is available for questions.

Matt Janssen, Hearing Officer: questions if the Lot Line will go through a barn or residence with Mr. Ethridge responding.

Terry Wahler, County Planning Staff: responds to question by Hearing Officer.

Thereafter, on motion of the hearing officer, the request by KEVIN AND LORI BRIANS for a Lot Line Adjustment (COAL15-0078) notes a Class 5 Categorical Exemption (ED15-15) and is granted based on the Findings A. through B. in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. (Document Number: 2016-007_PDH)

12. A request by **JOE REPETTO** for a Lot Line Adjustment (COAL 15-0077) to adjust the lot lines between two parcels of 9.25 and 9.63 acres each, resulting in two parcels of 5.0 and 13.88 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 2414 High Grove Road and 1255 Akron Road, approximately seven miles east of the community of Templeton. The site is in the El Pomar Sub-area of the North County planning area. Also to be considered is the approval of the environmental document. A General Rule exemption was issued for this project.

County File Number: SUB2015-00023
Supervisory District: 5
Project Manager: Stephanie Fuhs

APN(s): 034-181-009 & -011
Date Accepted: November 25, 2015
Recommendation: Approval

Stephanie Fuhs, Project Manager: presents staff report via power point.

Matt Janssen, Hearing Officer: speaks to the lot line going through the residence. Terry Wahler, County Staff: also, discusses the Lot Line.

Joe Repetto, Applicant: discusses the history of the proposed property.

Thereafter, on motion of the hearing officer, the request by JOE REPETTO for a Lot Line Adjustment (COAL 15-0077) is granted based on the Findings A. through B in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. (Document Number: 2016-008_PDH)

13. A request by **VANCE VAN PETTEN** for a Minor Use Permit (DRC2014-00097) to allow for demolition of an existing 1,316 square foot single family residence and construction of a new 4,372 square foot single family residence with 863 square foot attached garage. The proposal includes a side setback adjustment to allow for a 22 foot side setback instead of the required 30 feet. The project will result in the disturbance of approximately 1.07 acres of a 5.16 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 916 Mesa View Drive (Highway 1), approximately 0.5 miles south of the Mesa View Drive/Halcyon Road intersection, approximately two miles south of the City of Arroyo Grande. The site is in the South County (Inland) sub area of the South County planning area. Also to be considered is the approval of the environmental document. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 25, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, and Cultural Resources and are included as conditions of approval.

County File Number: DRC2014-00097
Supervisory District: 4
Project Manager: Megan Martin

Assessor Parcel Number: 075-281-014
Date Accepted: October 5, 2015
Recommendation: Approval

Stephanie Fuhs, Project Manager: present staff report via power point.

Matt Janssen, Hearing Officer: questions the Biological Resource Conditions and the Setback adjustment and why this is necessary with Stephanie Fuhs responding.

Greg Wynn, Agent: discusses the proposed project discussing the requested set back adjustment and states has read and agrees with the Findings and Conditions.

Matt Janssen, Hearing Officer: requests clarification on the design of the house with Mr. Wynn responding.

Frank William Coron, neighbor: discusses his concern with the proposed property.

Greg Wynn, Agent: responds to comments made by the public.

Matt Janssen, Hearing Officer: questions the footprint with Mr. Wynn responding. Also, questions how many trees were topped with Mr. Wynn responding.

Stephanie Fuhs, Project Manager: states there was a biological report done on the proposed property stating there was not any Monarch Butterfly habitat but, there was the potential for nesting birds so the topping the trees seemed to be a good approach to avoid the nesting bird season.

Terry Wahler, County Staff: concurs with Hearing Officer's comments.

Matt Janssen, Hearing Officer: states closing comments also, discusses the revision to Condition 1b.

Matt Janssen, Hearing Officer: requests clarification on the correct square footage in the revised Condition 1b with Mr. Greg Wynn responding.

Thereafter, on motion of the hearing officer, the request by VANCE VAN PETTEN for a Minor Use Permit (DRC2014-00097) adopts the Mitigated Negative Declaration in accordance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000 et seq and is granted based on the Findings A. through G. in Exhibit A and subject to the REVISED Conditions, Condition 1b to read " Construction of a new 3,829 square foot single family residence with a 711 square foot attached garage. Maximum height is 35 feet from average natural grade." (Document Number: 2016-009_PDH)

ADJOURNMENT

Next Scheduled Meeting: February 5, 2016, in the County Government Center, Room D-271, San Luis Obispo, CA.

**Nicole Retana, Secretary
Planning Department Hearings**

Minutes will be approved at the February 19, 2016 Planning Department Hearings Meeting.